

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

The C Fink Family Trust by its trustee Zalmen
Landau,

Plaintiff,

vs.

American General Life Insurance Co.,

Defendant.

Case No.: 10-cv-9230 (JSR)

AFFIRMATION

David BenHaim, an attorney duly admitted to practice law in the courts of the State of New York, affirms the following to be true under penalty of perjury:

1. I am a member of Schindel, Farman, Lipsius, Gardner & Rabinovich LLP, attorneys for plaintiff.
2. Annexed hereto as Exhibit A is a copy of the complaint in this action.
3. Annexed hereto as Exhibit B is a copy of the complaint in the New Jersey rescission action.
4. Annexed hereto as Exhibit C is a copy defendants' motion to dismiss the New Jersey rescission action.
5. Annexed hereto as Exhibit D are copies of demands for premium submitted by American General to Plaintiff.
6. Annexed hereto as Exhibit E are copies of checks paying premiums from March 2010 through December 2010.
7. Annexed hereto as Exhibit F is a copy of the documents mailed to Zalman Landau at his home address.

8. Annexed hereto as Exhibit G is a copy of an Affidavit of Zalman Landau.

Dated: New York, New York
February 28, 2011

A handwritten signature in black ink, consisting of a stylized 'M' or 'W' shape with a long horizontal stroke extending to the right.

David BenHaim